

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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H. BENDAL HOLT a/k/a BENDAL HOLT, and
BENJAMIN MANSFIELD

13-CV-05704-DLI-MDG

Plaintiffs,

-against-

VERIFIED ANSWER

FEROUZ FOOD CORP., individually and d/b/a
CROWN FRIED CHICKEN and AHMED NOOR, individually,

Defendants.

.....X

I, AHMED NOOR, am the owner and President of Crown Fried Chicken and Defendant in this action and as such I am conversant with the facts I depose to. As my Answer to the allegations made in the Complaint, I offer the following:

1. Denies each and every allegation not specifically admitted to.
2. Answering Paragraph 1 of the Complaint, Defendant admits the pendent jurisdiction of this Court. As to the remainder of the allegations set forth in this Paragraph, the Defendant deny generally and specifically that he harassed or discriminated against the Plaintiffs in any way on the basis of their race.
3. Answering Paragraphs 2 through 4 of the Complaint, the Defendant admits that the jurisdiction and venue are proper.
4. The Defendant is without sufficient knowledge about the name and address of the plaintiff, H. BENDAL HOLT a/k/a BENDAL HOLT. Therefore, the allegations in Paragraph 5 are denied.

5. The Defendant is without sufficient knowledge about the name and address of the plaintiff, BENJAMIN MANSFIELD. Therefore, the allegations in Paragraph 6 are denied. averments
6. The Defendant admits the allegations in Paragraphs 7 through 14 of the Complaint.
7. The Defendant is without sufficient knowledge about the allegations in Paragraph 15 of the Complaint. Therefore, allegations in Paragraph 15 are denied.
8. The Defendant lacks sufficient knowledge or information to determine the truth of the allegations in Paragraph 16 of the Complaint. Therefore, allegations in Paragraph 16 are denied.
9. Answering Paragraphs 17 through 32, the Defendant lacks sufficient knowledge or information to determine the intent of the Plaintiff(s) to purchase food at the premises. As to the remainder of the allegations set forth in these Paragraphs, the Defendant deny each and every allegation contained therein

FIRST ALLEDGED CAUSE OF ACTION
UNDER FEDERAL LAW
42 USC SECTION 1981.

10. Answering Paragraph 33, Defendant hereby incorporates each and every Paragraph above of this Answer.
11. The Paragraph 34 describes a statutory provision that speaks for itself and for which no response is necessary.
12. The allegations in Paragraph 35 of the Complaint are denied.

SECOND ALLEDGED CAUSE OF ACTION
UNDER NEW YORK STATE LAW "DISCRIMINATION"

13. Answering Paragraph 36, Defendant hereby incorporates each and every Paragraph above of this Answer.
14. The Paragraph 37 describes a statutory provision that speaks for itself and for which no response is necessary.
15. The allegations in Paragraph 38 of the Complaint are denied.
16. The allegations in Paragraph 39 of the Complaint are denied.

THIRD ALLEDGED CAUSE OF ACTION
UNDER NEW YORK CITY LAW "DISCRIMINATION"

17. Answering Paragraph 40, Defendant hereby incorporates each and every Paragraph above of this Answer.
18. The Paragraph 41 describes an administrative code that speaks for itself and for which no response is necessary.
19. The allegations in Paragraph 42 of the Complaint are denied.
20. The allegations in Paragraph 43 of the Complaint are denied.

FOURTH ALLEDGED CAUSE OF ACTION
INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS

21. Answering Paragraph 44, Defendant hereby incorporates each and every Paragraph above of this Answer.
22. The allegations in Paragraph 45 of the Complaint are denied.
23. The allegations in Paragraph 46 of the Complaint are denied.

24. The Defendant lacks sufficient knowledge or information to determine the truth of the allegations in Paragraph 47 of the Complaint. Therefore, allegations in Paragraph 47 are denied.
25. The allegations in Paragraph 48 of the Complaint are denied.

FIFTH ALLEDGED CAUSE OF ACTION
NEGLIGENT INFLECTION OF EMOTIONAL DISTRESS

26. Answering Paragraph 49, Defendant hereby incorporates each and every Paragraph above of this Answer.
27. The allegations in Paragraph 50 of the Complaint are denied.
28. The allegations in Paragraph 51 of the Complaint are denied.

AFFIRMATIVE DEFENSES

1. CROWN FRIED CHICKEN is owned by the Defendant "AHMED NOOR" and is doing business at 135-18 Jamaica Ave, Richmond Hill, NY 11418 for more than 10 years.
2. Defendant has never discriminated against anyone based on sex, color, race, or religion.
3. Defendant has two employees, one male and another female, and they are both African American
4. Majority of Defendant clients are from the African –American community.
5. On or about November 23, 2011 Plaintiff entered the Defendants premises and demanded free food.
6. On refusal to give free food, the Plaintiffs shouted at the Defendant and before exiting the premises, the Plaintiffs threatened that they will be back later in the evening to take the food.


7. After more than an hour, the Plaintiffs again entered the premises and again demanded free food. The Defendant refused to give them any free food and picked up the phone to call Police.
8. When the Defendant told the Plaintiffs that he was going to call the police, the Plaintiffs left and premises and before exiting the plaintiffs threatened that they will make it difficult for the Defendant to do business in the locality.

WHEREFORE Defendant asks this Court to dismiss the Complaint and enter judgment in favor of Defendant.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 27TH Day of December 2014

Signature:


AHMED NOOR (Defendant)

Address:

158-20 77th Ave
Flushing, NY 11366-1018

Phone:

(347) 938-8133

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X

H. BENDAL HOLT a/k/a BENDAL HOLT, and
BENJAMIN MANFIELD

Plaintiff(s)

Affirmation of Service

-against-

FEROUZ FOOD CORP., individually and d/b/a
CROWN FRIED CHICKEN and
AHMED NOOR, individually

13 CV 05704-DLI (MDG)

Defendant(s)

X

I, AHMED NOOR, declare under penalty of perjury that I have
served a copy of the attached ANSWER

upon "W. Gordon Kaupp, Esq" ACRE LAW GROUP, PC "Attorneys for Plaintiffs"

whose address is: 30 Broad Street, 35th Floor

New York, New York 10004

Dated: December 27, 2014

Queens, New York

Ahmed Noor

Signature

158-20 77th Ave

Address

Flushing, New York 11366-1018

City, State, Zip Code